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an equal number of non-criminals. Recidivation of the criminal is the rule, reformation the exception. The absence of elementary moral instincts is not an infirmity; instinctive criminals are not sick nor insane; perversity is natural. The criminal is a being at present unadapted to surrounding circumstances; he is a monster, and presents the traits of past racial regression. All criminals are born, but predisposition does not exclude the influence of surroundings. One class of criminals are those with regressive, arrested moral development, innate criminals; for these society has but one remedy: elimination. Another class are those somewhat deficient in the feeling of pity; and a third class lack the sentiment of probity. Atavistic perversity exists in spite of the best surroundings; the influence of intellectual instruction is almost null. In Spain, where two thirds of the population are illiterate, criminals are few. Religious instruction, if begun early, and if its purpose is moral teaching, has good influence, except in the graver cases. Crimes due to cupidity will not cease by bettering the social conditions. Economic conditions may change the form of crime, but they are not a cause of crime in general. In the first half of this century a high degree of criminality was greatly reduced, in the second half (1828-84) crime has increased enormously and punishment has been made milder, the increase of recidivists is greater than that of all criminality; this points to a concentration which should render its prevention easier. Murder severely injures the moral sense of the community, a reaction in the form of desire of exclusion from society is produced, through lack of adaptation. The only absolute means of exclusion is death, but this applies only to the criminal by nature. It is the duty of society to eliminate those who are utterly unadapted to society. Punishment is not to punish the criminal, but to eliminate him absolutely or partially. The death penalty has given England the fewest criminals of all Europe. The common ideas, that there is no crime without moral responsibility, and that punishment should be in proportion to the gravity of the crime, are incompatible with scientific facts. It should be first determined to what class of criminals the culprit belongs; a man, who hires an assassin to kill the individual who outraged his family, is quite a different criminal from the assassin. The cause of a murder, and the absence of any grave injury on the part of the victim are the criterions to be substituted for premeditation. The worst criminals commit murder without premeditation; but in the case of the criminals by occasion, premeditation indicates a cruel nature, and elimination may be necessary; for the other classes of criminals, deportation, fine, removal to another environment, agricultural colonies, work for the state, etc. etc. The controlling ideas of the author are social utility, and the natural reaction against crime.

The author's extensive experience as a magistrate gives peculiar interest to his views on the psenological side of criminality. He seems to us to draw too sharp a line between abnormality and disease. The born criminal is wholly teratological, a moral monster; but a teratological characteristic may arise from a deviation in utero—a real disease of the egg. His insistence on the absolute elimination of the born criminal is extreme; first, because it assumes the criminal's utter want of adaptation to society, which is not warranted by a sufficient number of facts; second, admitting his want of adaption, we fail to see why a society in which the public conscience is highly sensitive, might not substitute perpetual detention; for it is a question of social utility, whether the hardening of the public conscience is not morally injurious.

*Concetto e limiti della sociologia criminale.* CALAJANNI NAPOLEONI.  
Rivista di filosofia scientifica. Novembre, 1888.

The writer is the standard-bearer and the principal authority among Italian socialists. In human society development is not always normal;

it as a whole suffers from disease, just as the individual organisms; hence the necessity of the study of the morbid or abnormal state—a pathological sociology. This comprehends the study of the anomalies opposed to nature, showing their co-existence and their derivation one from the other in the social organism. Criminal sociology occupies itself with the criminal manifestations. Romagnosi, the statesman, says, that crimes are the diseases of the social body; sometimes they are general, sometimes local, now permanent, now transitory. Criminal sociology reaffirms the analogies between biology and sociology. The difference in the laws and respective characteristics is shown, not only in the fully developed organism, but in assigning to sociology the principal characters of the evolution in all the phases of one society. The utility of social criminology is direct and indirect: (1) By the study of the pathological alterations, the knowledge of the normal functions is increased; thus one is better able to determine the relation between cause and effect in diverse social phenomena; for as Drill says, delinquency is a sensible measure of the degree of health, strength, and prosperity of a given society in every given moment of its existence. (2) The direct utility of the study of social pathology, especially of criminal sociology, is intuitive; it directs one towards the care and prevention of crime; in lessening pain by gaining a just and free exercise of law, which results in the diminution of crime. But what is the place of criminal sociology in the hierarchy of the sciences? Lucchini, Fulci and Puglia, three famous Italian statesmen, maintain the superiority of the law to that of sociology. Others hold that legal science is only a chapter in sociology.

Now, sociology is a study of the whole life of the social organism. Liszt would divide biology into anthropology and criminal psychology. Moleschott thinks that sociology should be included in anthropology. But anthropology should be an introduction to sociology. Garrandi's division is: (1) Study of the world of criminality in its actual state and in its history; (2) Investigation of causes which produce crime; (3) Indication and organization of the means of combating crime. But a more practical division is this: (1) Genesis and etiology of crime; (2) Treatment of crime, (a) prevention, (b) repression; (3) history and course of crime.

*Dégénérescence et criminalité, essai physiologique*, par Ch. FÉRÉ. Félix Alcan, Editeur. Paris. 1888.

This book contains short chapters treating the subject generally, and is critical of the results of those (Lombroso, Garofalo, and others,) who are more specialists in criminology. In addition to the general interest of the book, it may be useful in guarding one against the exaggerated inferences that specialists sometimes make in connection with the facts they present. The author introduces some physiological conditions of the emotions. The physiological conditions of crime are more frequent with the feeble. The author considers the atavistic origin of crime as a pure hypothesis. Anatomical and physiological characteristics are not sufficient to establish anything; cerebral anomalies point merely to the fact of complexity and irregularity in brain morphology in general; there is no criterion of criminality except the material proof of the crime. Whatever one thinks as to the moral responsibility, there is no doubt as to legal responsibility, the main object of which is to preserve society; that is, to treat dangerous criminals as dangerous sick persons. Society is responsible for the conditions which breed criminals. Education and instruction work with a limited number, who are not prone to evil through an organic defect, and with whom it is possible to develop general utilitarian motives; the principal cause of misery lies in organic inferiority.

Some etiological conditions of criminality are: abuse of alcohol,